

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO**

**STUDENT RESOURCE CENTER,
LLC,**

Plaintiff,

V.

**EASTERN GATEWAY COMMUNITY
COLLEGE,**

Defendant.

Case No. 2:22-cv-2653

Chief Judge Algenon L. Marbley

Magistrate Judge Chelsey M. Vascura

Attachment B to the Declaration of Robert Folland in Support of SRC's Motion for Prejudgment Attachment

Hoke, Kaylee

From: Bartolozzi, Jeff
Sent: Thursday, May 30, 2024 1:28 PM
To: Adam D. Fuller; Victoria Ferrise; Justin M. Alaburda
Cc: Paragas, David; Folland, Rob
Subject: RE: SRC v. EGCC - Case No. 2:22-cv-02653 (S.D. OH)

Hello Adam:

Based on your last email and the Court's Order today granting EGCC an extension of time to respond to SRC's Motion for Summary Judgment, please provide us a timeline for EGCC's sale of any real property or assets before it dissolves. For example, when does EGCC expect the sale of real property at 110 John Scott Highway and the Pugliese Training Center to close? EGCC's willingness to provide this information and assurance that it will keep any proceeds in escrow will be helpful in avoiding the need for additional court intervention.

Respectfully,

Jeff Bartolozzi | Associate
Barnes & Thornburg LLP
41 S. High Street Suite 3300, Columbus, OH 43215
Direct: (614) 628-1406 | Mobile: (440) 773-2311



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From: Adam D. Fuller <adfuller@bmdllc.com>
Sent: Friday, May 17, 2024 12:35 PM
To: Bartolozzi, Jeff <Jeff.Bartolozzi@btlaw.com>; Victoria Ferrise <vlferrise@bmdllc.com>; Justin M. Alaburda <jmalaburda@bmdllc.com>
Cc: Paragas, David <David.Paragas@btlaw.com>; Folland, Rob <Rob.Folland@btlaw.com>
Subject: [EXTERNAL] RE: SRC v. EGCC - Case No. 2:22-cv-02653 (S.D. OH)

Caution: This email originated from outside the Firm.

CONFIDENTIAL SETTLEMENT COMMUNICATION

Jeff:

Any proceeds EGCC realizes from the sale will be used to pay ongoing operating expenses and/or outstanding debts. If SRC would like to secure a place in line with EGCC's creditors, it should make a reasonable settlement demand that could win board approval [REDACTED].



PARTNER

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From: Bartolozzi, Jeff <Jeff.Bartolozzi@btlaw.com>

Sent: Thursday, May 16, 2024 12:54 PM

To: Adam D. Fuller <adfuller@bmdllc.com>; Victoria Ferrise <vferrise@bmdllc.com>; Justin M. Alaburda <jmalaburda@bmdllc.com>

Cc: Paragas, David <David.Paragas@btlaw.com>; Folland, Rob <Rob.Folland@btlaw.com>

Subject: SRC v. EGCC - Case No. 2:22-cv-02653 (S.D. OH)

****External User****

Hello Adam:

It has come to our attention through EGCC's Board of Trustee meeting yesterday that EGCC passed Resolution 2024/23 to approve the sale of EGCC's property located at 110 John Scott Highway, Steubenville, Ohio 43952, including the Pugliese Training Center. Given the nature of the school's finances and EGCC's filing yesterday, which seeks in part to delay the Court's timeline for adjudicating SRC's Motion for Summary Judgment, SRC is concerned that EGCC is attempting to liquidate and dissipate its assets in an attempt to become judgment proof from SRC's pending claims prior to the Court's ruling. As you know, the Court has twice ordered an injunction in SRC's favor and has previously found that SRC established a likelihood of success on its breach of the non-competition clause under the Collaboration Agreement.

Please provide assurance to SRC that any proceeds from the sale of assets, including the real property located at 110 John Scott Highway and the Pugliese Training Center, shall be placed in escrow to prevent EGCC from irretrievably transferring assets away from EGCC's creditors, including SRC.

Respectfully,

Jeff Bartolozzi | Associate

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41 S. High Street Suite 3300, Columbus, OH 43215

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